

**IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

IN THE MATTER OF  
  
MICHAEL A. LARICCIA,  
  
DEBTOR

IN PROCEEDINGS  
UNDER CHAPTER 13  
  
NO. 20-10081  
JUDGE: Cox

**OBJECTION TO CONFIRMATION OF THE PLAN**

NOW COMES the Movant, MidFirst Bank, by and through its attorneys, Shapiro Kreisman & Associates, LLC, and states as follows:

1. This case was filed on April 29, 2020. On April 29, 2020 Debtor filed a plan.
2. Movant, a secured party in interest, holds a note (or services a loan) secured by a mortgage on the real property located at 16823 Hilltop Avenue, Orland Hills, IL 60487 dated September 28, 2015.
3. The pre-petition arrearages due the Movant total \$20,082.02.
4. The Debtor's plan provides that the Trustee is to pay the Movant \$13,571.00 as and for its arrearage claim.
5. The proposed plan impermissibly modifies the rights of Movant to receive all funds due it, thereby violating 11 U.S.C. §1322(b)(2) and 11 U.S.C. §1322 (b)(5).
6. The proposed plan provides for total funding over the term of the plan in the amount of \$39,000.00 with total estimated payments to the Trustee in the amount of \$39,000.00. As the arrears due Movant are understated in the amount of \$6,511.02, the proposed plan is underfunded and unfeasible on its face.
7. Such violations render the plan unconfirmable as a matter of law.

WHEREFORE, MidFirst Bank prays that confirmation of the plan be denied and for such other relief as the Court deems just.

Respectfully submitted,

/s/ Michael N. Burke  
Attorney for MidFirst Bank

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**The firm of Shapiro Kreisman & Associates, LLC is a debt collector. This is an attempt to collect a debt. Any information may be used for that purpose. If your personal liability for this debt has been extinguished, discharged in bankruptcy or if a court order prohibits collecting this debt from you personally, then this is an attempt to enforce the Movant's rights with respect to the property addressed herein, and it is not an attempt to collect the debt from you personally.**